

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

MAY 29 2012

CLERK, U.S. DISTRICT COURT

By Deputy

UNITED STATES OF AMERICA

v.

DOUGLAS E. FALLIS

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No. 4:12-MJ-218

CRIMINAL COMPLAINT

I, the undersigned Complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about April 18, 2012, in the Fort Worth Division of the Northern District of Texas and elsewhere, **Douglas E. Fallis**, knowingly used the Internet, a facility and means of interstate and foreign commerce, and attempted to transfer obscene matter to another individual who had not attained the age of sixteen years, knowing that such other individual had not attained the age of 16 years, to wit: Fallis used the Internet to send live streaming video of himself masturbating, in violation of 18 U.S.C. § 1470.

I further state I am a Special Agent with U.S. Department of Homeland Security Investigations and that this complaint is based on the following facts gathered through interviews and reports relayed to me by Detective Randy Watkins with the Fort Worth Police Department and through my own investigation:

INTRODUCTION

1. I am a Special Agent with the Department of Homeland Security Investigations. I have been employed with HSI since October 2005. As part of my duties as an HSI agent, I investigate criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal transfer of obscene materials to minors and production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 1470, 2252 and 2252A. I have experience conducting criminal investigations concerning internet crimes against children. This affidavit is based upon my personal investigation and on information obtained from other law enforcement officers assisting with this investigation.

PROBABLE CAUSE

2. On May 24, 2012, I received information through Officer R.D. Watkins with Fort Worth Police Department (FWPD) that establishes probable cause to believe that in the Northern District of Texas and elsewhere, **Douglas E. Fallis** knowingly used the Internet, a facility and means of interstate and foreign commerce, and attempted to transfer obscene matter to another individual who had not attained the age of sixteen years, knowing that such other individual had not attained the age of 16 years, to wit: Fallis used the Internet to send live streaming video of himself masturbating, in violation of 18 U.S.C. § 1470. The reports and my interview of Officer R.D. Watkins revealed the following information:

3. On March 26, 2012, while acting in an undercover capacity and using a computer connected to the Internet in Fort Worth, Texas, Officer Watkins of the FWPD Crimes Against Children Unit entered a Yahoo chat room "texas:1" within the chat room category of "romance/by location/texas." Watkins posed as a 13-year-old female from Fort Worth named "Taylor." Watkins was contacted by a person using the screen name/ID "txcityslicker," who invited "Taylor" to view his webcam. When Watkins clicked on the "view webcam" link, he observed a white male masturbating his erect penis. During the chat that occurred at the same time, Watkins/Taylor advised txcityslicker that she was 13 years old; however it was unclear whether txcityslicker could read what Watkins wrote. Later that same day, Watkins/Taylor saw txcityslicker online and engaged in a chat during which Watkins/Taylor advised that she was 13. Txcityslicker apologized for showing his "cam," and said he could get in a lot of trouble.

4. On March 27, 2012, Watkins/Taylor received an offline message from txcityslicker and responded approximately two hours later. Chat ensued, during which txcityslicker asked if Watkins/Taylor wanted to view his "cam." Watkins/Taylor reminded txcityslicker that she was 13 but would watch if he turned the camera on. While txcityslicker masturbated on webcam, he asked Watkins/Taylor how often she masturbated. Once he ejaculated, txcityslicker turned the webcam off and ended the chat.

5. On April 18, 2012, Watkins/Taylor received an offline message from txcityslicker and responded approximately 30 minutes later. Chat ensued, during which


txcityslicker again turned on his webcam and masturbated. Again upon ejaculation, txcityslicker said, "sorry this is wrong, later" and ended the chat.

6. Watkins captured the communications and the streaming video of txcityslicker during all four chat sessions. He was also able to determine that the IP address used by txcityslicker, 173.64.208.193, on March 26, 2012 at 12:56:37 GMT, returned to Douglas E. Fallis, in Plano, Texas.

7. The Internet is a means and facility of interstate and foreign commerce. Watkins conducted his undercover investigation in Fort Worth, Texas.

CONCLUSION

8. Based upon the foregoing facts and circumstances, I believe probable cause exists to find that Fallis knowingly attempted to transfer obscene materials to a minor, knowing that the minor was under the age of 16 in violation of 18 U.S.C. § 1470.



Brian Faust
Special Agent
Department of Homeland
Security Investigations

Sworn to before me and subscribed in my presence this 29th day of May 2012,
at 2:55 p.m. in Fort Worth, Texas.



JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE